

REMARKS

1. Formal Matters

a. Status of the Claims

Claims 2, 5, 7-9, and 17-21 are pending in this application. Upon entry of these amendments, claims 2, 5, 7-9, and 17-21 are pending and under active consideration. Applicants respectfully request entry of the amendments and remarks made herein into the file history of the present application.

Claim 2 is amended to recite that the isolated RNA of 18 to 24 nucleotides is encoded by a nucleic acid comprising the sequence of SEQ ID NO: 1, support for which can be found at claim 1 and SEQ ID NO:1 as originally filed.

Claim 5 is amended to correct a typographical error.

Claim 17 is amended to recite that the isolated RNA of about 50 to 77 nucleotides is encoded by a nucleic acid comprising the sequence of SEQ ID NO: 1, support for which can be found at claim 1 and SEQ ID NO: 1 as originally filed.

Claim 18 is amended to recite that the isolated RNA of about 22 nucleotides is encoded by a nucleic acid comprising the sequence of SEQ ID NO: 1, support for which can be found at paragraphs 0002 and 0011 and SEQ ID NO: 1 as originally filed.

Claim 19 is amended to recite that the isolated nucleic acid has a sequence complementary to the sequence of SEQ ID NO: 1, wherein the nucleic acid is from about 91 to 120 nucleotides, support for which can be found at paragraph 011 and SEQ ID NO: 1 as originally filed.

b. Rejections under 35 U.S.C. § 112 – Claims 2, 5, 7-9, and 17-21

At page 4 of the Office Action, the Examiner rejects instant claims 2, 5, 7-9, and 17-21 for allegedly being indefinite under 35 U.S.C. § 112. The Examiner first alleges that because claim 1 is currently withdrawn as being drawn to a non-elected invention, the invention claimed in claims 2, 5, 7-9, and 17-21 can not properly be examined. The Examiner secondly alleges that even if claim 1 were under consideration, claim 1 is indefinite because it is unclear how any nucleic acid may “comprise” SEQ ID NO: 1, which is a 131 nucleotide sequence, and be about 91 to about 120 nucleotides long.

Applicants respectfully submit that the rejection is overcome by the amendments made herein. Claims 2 and 17-19 are amended to no longer depend on claim 1. Hence, Applicants respectfully request that the Examiner reconsider and withdraw the rejection under 35 U.S.C. § 112.

2. Conclusion

Applicant respectfully submits that the instant application is in good and proper order for allowance and early notification to this effect is solicited. If, in the opinion of the Examiner, a telephone conference would expedite prosecution of the instant application, the Examiner is encouraged to call the undersigned at the number listed below.

Respectfully submitted,

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